

FILED ENTERED  
LODGED RECEIVED



JUL 23 2007

06-CV-01378-ORD

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MASSIMILIANO DELLAGUARDIA, ) CASE NO. C06-1378-MJP  
)  
Petitioner, )  
)  
v. )  
)  
) ORDER OF DISMISSAL  
ALBERTO R. GONZALES, et al., )  
)  
Respondents. )

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits in support and in opposition to that petition, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's § 2241 petition is DENIED, and this action is DISMISSED without prejudice; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Theiler.

DATED this 23 day of July, 2007

MARSHA J. PECHMAN  
United States District Judge